

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT
OF ALABAMA, NORTHERN DIVISION **RECEIVED**

CARL LEWIS,

Plaintiff,

v.

CITY OF MONTGOMERY, ET AL.,

Defendants.

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DEBRA P. HACKETT, CLK
U.S. DISTRICT COURT
MONTGOMERY, ALA

Civil Action No. 2:06-cv-237-CSC

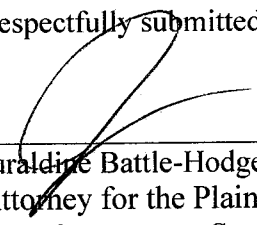
**PLAINTIFF'S MOTION FOR LEAVE TO AMEND PLAINTIFF'S RESPONSE
TO DEFENDANT'S ASSERTIONS**

COMES now the Plaintiff and shows unto the Court as follows:

1. That the Plaintiff filed his Response to Defendant's Assertions on January 31, 2007.
2. That at the time of the filing, Plaintiff was unable to secure the testimony of one of his comparators, Paul Ammons.
3. That shortly after the filing, the Plaintiff located Paul Ammons.
4. That after the Plaintiff located Mr. Ammons; he agreed to swear to his testimony under oath.
5. That the undersigned secured Mr. Ammons testimony on August 3, 2007.
6. That as a result, the Plaintiff requests that he be allowed to amend is response with Mr. Ammons testimony.
7. Attached hereto is an amendment to the Plaintiff's Response to Defendant's Assertions and the Affidavit of Paul Ammons.

WHEREFORE, Plaintiff prays to the Court for leave to amend the Plaintiff's Response to Defendant's Assertions.

Respectfully submitted,



Juraldine Battle-Hodge (BAT033)
Attorney for the Plaintiff
207 Montgomery Street, Suite 215

CERTIFICATE OF SERVICE

I hereby certify that on the 6th day of August 2007, the foregoing document was served upon the following counsels of record by placing a copy of the same in the U.S. Mail, First Class postage prepaid, addressed as follows:

Hon. Wallace D. Mills
Assistant City Attorney
Legal Department
Post Office Box 1111
Montgomery, AL 36101-1111



Of Counsel